

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

ERIC GUDMUNDSON, *et al.*,

Plaintiff,

v.

STATE FARM FIRE AND CASUALTY  
CO.,

Defendant.

Case No. C22-352-MLP

ORDER

On February 24, 2022, Plaintiffs Eric Gudmundson and Katina Gudmundson filed this action against Defendant State Farm Fire and Casualty Company in Snohomish County Superior Court. (Dkt. # 1-2.) Defendant received a copy of the complaint on March 2, 2022. (Dkt. # 1 at 2 (“[C]ounsel for plaintiffs provided to State Farm by service through the Insurance Commissioner of Washington a copy of the ‘Complaint for Damages’ for this action.”).) On March 17, 2022, Defendant filed a Notice of Appearance in the Snohomish County case. (Dkt. # 4 at 16-17.)

On March 24, 2022, Defendant removed the action to this Court. (Dkt. # 1.) On March 29, 2022, Defendant filed “copies of all of the records filed with the King [*sic*] County Superior Court,” consisting of the complaint, summons, case information cover sheet, and notice of appearance. (Dkt. # 4 at 1, 5-18.) No answer has been filed in this Court. Thus, it appears

1 Defendant has not yet filed an answer in this action, either in the Snohomish County Superior  
2 Court or this Court.

3 Pursuant to Federal Rule of Civil Procedure 81(c)(2):

4 A defendant who did not answer before removal must answer or present other  
5 defenses or objections . . . within the longest of these periods:

- 6 (A) 21 days after receiving—through service or otherwise—a copy of the  
initial pleading stating the claim for relief;
- 7 (B) 21 days after being served with the summons for an initial pleading on file  
at the time of service; or
- 8 (C) 7 days after the notice of removal is filed.

9 Fed. R. Civ. P. 81(c)(2). “When a party against whom a judgment for affirmative relief is sought  
10 has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the  
11 clerk must enter the party’s default.” Fed. R. Civ. P. 55(a). More than seven days have elapsed  
12 since Defendant removed this action, and it appears from the state court record more than 21  
13 days have elapsed since Defendant received copies of the complaint and summons.

14 Accordingly, the Court ORDERS Defendant to show cause by **April 29, 2022**, why  
15 sanctions should not be imposed, up to and including default entered for Plaintiffs, based on  
16 Defendant’s failure to answer the complaint.

17 Dated this 12th day of April, 2022.

18 

19 MICHELLE L. PETERSON  
20 United States Magistrate Judge